

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
UNITED STATES OF AMERICA,

-against-

CHEVILLE GREY,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY
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19 Cr. 813 (AT)

ORDER

Sentencing in this matter is scheduled for June 29, 2020, at 9:00 a.m. ECF No. 17. Defendant is detained at the Westchester County Jail.

Under the terms of Section 15002(b)(2) of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”), Pub. L. No. 116-136 (2020), the Judicial Conference of the United States has found that emergency conditions due to the national emergency declared by the President of the United States with respect to COVID-19 have materially affected and will continue to materially affect the functioning of the federal courts, and the Chief Judge of this district has entered an order finding that “felony sentencings under Rule 32 of the Federal Rules of Criminal Procedure . . . cannot be conducted in person without seriously jeopardizing public health and safety,” and authorizing such proceedings to be conducted by “video teleconferencing, or telephone conferencing if video conferencing is not reasonably available . . . with the consent of the defendant . . . after consultation with counsel and upon a finding by the presiding judge that the proceeding cannot be further delayed without serious harm to the interests of justice.” *In re Coronavirus/Covid-19 Pandemic*, 20 Misc. 176, ECF No. 1 at 1, 3 (S.D.N.Y. Mar. 30, 2020).

Defendant’s counsel having informed the Court that Defendant consents to sentencing being conducted via telephone conference, the Court finds that this proceeding cannot be further delayed without serious harm to the interests of justice because of the range of sentencing options presented to the Court. The Court further finds that video teleconferencing is not reasonably available.

Accordingly, pursuant to Section 15002(b)(2)(A) of the CARES Act, it is ORDERED that the sentencing on **June 29, 2020, at 9:00 a.m.** shall proceed by telephone conference. The parties are each directed to call either (888) 398-2342 or (215) 861-0674, and enter access code 5598827. Members of the public and the press may attend the sentencing in the same manner; however, any callers besides counsel for the Government and for Defendant must mute their phones for the entirety of the proceeding. Recording of the proceeding is strictly prohibited.

SO ORDERED.

Dated: June 22, 2020
New York, New York



ANALISA TORRES
United States District Judge